

**MISSISSIPPI MOTOR VEHICLE COMMISSION
PROPOSED REGULATION NO. EIGHT**

Motor Vehicle Dealer Documentary/Service Fees - Disclosures

- (a) Documentary/service fees may be charged by a motor vehicle dealer for services rendered to, for, or on behalf of a purchaser in preparing, handling, and processing documents relating to the sale or lease of a motor vehicle.¹
- (b) Documentary/service fees must be:
- (1) reasonable based on the market price of the Services rendered in the local area; and
 - (2) charged to all purchasers and lessees of vehicles regardless of the payment method used; and
 - (3) disclosed as a separate itemized charge with the exact dollar amount of the documentary/service fee listed on all documents where the purchase price is itemized.
- (c) Preparation of a retail installment contract, the lease, or perfection of a security interest shall not be components of the documentary/service fee.
- (d) On all documents where the documentary/service fee is disclosed, the following notice must be typed in bold-faced, capitalized, or underlined or otherwise conspicuously set out from the surrounding written material:
- “A DOCUMENT/SERVICE FEE IS NOT AN OFFICAL FEE AND IS NOT REQUIRED BY LAW. HOWEVER, IT MAY BE CHARGED TO A BUYER/LESSEE FOR THE HANDLING OF DOCUMENTS AND THE PERFORMING OF SERVICES RELATED TO THE SALE OR LEASE AND MAY INCLUDE DEALER PROFIT.”**
- (e) All motor vehicle dealers who charge a documentary/service fee must report the amount of their documentary/services fees to the Motor Vehicle Commission within thirty (30) days of adoption of this regulation, and all changes to motor vehicle documentary/service fees must be reported to the Motor Vehicle Commission within thirty (30) days of the change.
- (f) This regulation is promulgated under and in accordance with Mississippi Code of 1972 § 63-17-69, and this regulation is enforceable pursuant to Mississippi Code of 1972 § 63-17-85.

¹Service examples may include but are not limited to checking vehicle safety, history, and titles; providing full condition information on the window label; discovering and disclosing accurate vehicle mileage; checking for recalls on used vehicles where required; completing required forms and contracts that protect buyers; and lessees; interests; processing titles and plates; clearing liens; keeping buyers' and lessees' information private and secure; fulfilling vehicle emission laws; passing along manufacturer information, including lemon law notices; processing taxes on buyers' and lessees; purchases and rebates; keeping buyers and lessees informed of their rights and obligations; keeping important records of buyers' and lessees' purchases; purchasing required forms and supplies; maintaining technology to process buyers' and lessees' paperwork; training staff to carry out laws that protect buyers and lessees; and maintaining professional licenses that ensure quality service. Not all services will be performed on every sale or by every dealer.